

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

AULEN UNAN and PATRICIA QUINTINO,  
on behalf of themselves and all others  
similarly situated,

CASE NO. 2:14-cv-13470

Plaintiffs,

HON. MARIANNE O. BATTANI

v.

NICK LYON, in his official capacities as  
DIRECTOR, MICHIGAN DEPARTMENT  
OF COMMUNITY HEALTH and ACTING  
DIRECTOR, MICHIGAN DEPARTMENT  
OF HUMAN SERVICES,

Defendant.

/

**ORDER DENYING DEFENDANTS' MOTION TO DISMISS (Doc. 30), DENYING THE MOTION TO INTERVENE (Doc. 18), AND HOLDING IN ABEYANCE THE MOTIONS FOR PRELIMINARY INJUNCTION (Doc. 4) AND CLASS CERTIFICATION (Doc. 3)**

This matter is before the Court on Plaintiffs' motions for class certification and preliminary injunction, Defendants' motion to dismiss, and on motion by Maria del Carmen Vargas and Michigan United Health Care Access Network to intervene as plaintiffs and class representatives. For the reasons stated on the record at the hearing held on March 5, 2015, the Court **DENIES** without prejudice Defendants' motion to dismiss, **DENIES** the motion to intervene, and **HOLDS IN ABEYANCE** the motions for class certification and preliminary injunction.

Furthermore, as discussed at the hearing, the parties shall agree upon and prepare a Health Care Coverage Determination Notice that adequately informs Medicaid applicants of the decision made on their applications. This revised notice, as

well as any technical computer updates necessary to issue the notice, must be completed by May 7, 2015. Additionally, the parties are to appear before the Court on May 11, 2015, at 2:00 p.m., for a status conference and, if necessary, a hearing on the motions for preliminary injunction and class certification.

**IT IS SO ORDERED.**

Date: March 24, 2015

s/Marianne O. Battani

MARIANNE O. BATTANI  
United States District Judge

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing Order was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail to the non-ECF participants on March 24, 2015.

s/ Kay Doaks

Case Manager